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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,024	06/23/2000	David Jacobs	A-7081	9204

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EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 01/29/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/602,024

Applicant(s)

JACOBS ET AL.

Examiner

Bunjoo Jaroenchonwanit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/11/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/11/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. In response to the communications filed 12/11/03. The previous rejection is vacated. The preliminary amendments are entered and have been reviewed; the objections and rejections cited are as stated below.

Drawings

2. The drawings (Fig. 1 and 2) are objected to under 37 CFR 1.83(a), because they fail to properly label as described in the specification. Any structural detail, i.e., the drawing should be properly labeled, that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 34, 41, 44 and 46. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: services 1 and 4 for figure 8 (mentioned on page 11, lines 32-34). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Regarding claim 18, the phrase “and/or” renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 18-20, 22-25 and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Schultz et al. (U.S. 6,453,339).
10. Regarding claims 18, Schultz discloses an automated provisioning system adapted to use an LDAP or X.500 compatible directory enabled information repository, the system comprising a service manager adapted to interface with the information repository and components of a distributed electronic system, (engine 26-repository 22, Fig.2; Col.2, line 57-Col.3, line 9)

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wherein the information repository comprises a scalable data model, wherein the service manager is adapted to log on to a directory and interacts therewith to create, delete, amend search for information in the information repository (Col.3, lines 10-52; Col.12, line 66-Col.13, line 7; Col.17, lines 17-34), wherein the service manager is also adapted to interact, through a plurality of interfaces, with components and users of the distributed electronic system to enable authentication and authorization to use services running on the components (User accessing, the repository, via the engine include authentication and authorization, Col.5, lines 12-24; Col.11, lines 11-28).

11. Regarding claim 19, Schultz discloses, the data model comprises domains, users, services, profiles and infrastructure (user, profiles, Col.11, line 29-Col.12, line 52; the repository stored the object keys for type of service such as news service or infrastructure, inherent includes domains name, Col.4, lines 43-54).

12. Regarding claim 20, Schultz discloses, a subscriber uses an automatic on-line subscriber self-registration system to subscribe to new services, or to modify or unsubscribe from existing services via a user interface, which interface interacts with the service manager (user can subscribe to services, Col.3, lines 19-29).

13. Regarding claim 22, Schultz- discloses, users are provided with profiles defining services and components available to the user, each user having at least one profile (Col. 12, lines 17-21).

14. Regarding claim 23, Schultz discloses the profile comprises a base profile, which base profile describes the core characteristics of the user (Defaultgroup Col.11, lines 40-41; Col.35, lines 36-51).

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15. Regarding claim 24, Schultz discloses, profile further comprises an extension profile, which extension profile represents refinements to services available to the user (Col. 17, lines 9-16).

16. Regarding claim 25, Schultz discloses, profile comprises a combination of one or more base profiles and extension profiles (Col.17, lines 9-16).

17. Regarding claim 27, Schultz discloses, requests initiated are made to the service manager by a plurality of servers, via a user interface, (Col. 6, lines 4-17).

18. Regarding claim 28, Schultz discloses, one or more of a plurality of object request brokers and a plurality of service managers (servlets and API, Col.7, line 16-Col.8, line 31).

19. Regarding claim 29, Schultz discloses, user interfaces comprise web interfaces adapted to use servlets to create a separate thread of execution for each request (Col.4, line 62-Col.5, line 2; Col. 7, lines 24-29).

20. Regarding claim 30, Schultz discloses, a directory communication layer enables the service manager to work with multiple directories (repository is organized in hierarchy of folders, Col.3, lines 10-18).

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Schultz et al. (U.S. 6,453,339).

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23. Regarding claim 21, Schultz discloses the invention substantially, as set forth in the rejection of claim 20, above, including allowing users to subscribers to multiple services, but fails to use the invention in a cable TV system. Official Notice is taken (see MPEP 2144.03) that cable TV system and its utility and high bandwidth, i.e., broadband were well known and widely utilized in the art. Exemplary utilities have been realized in Television service, Internet service, and etc. Thus taking advantage of well-known broadband transmission by incorporating the well-known Cable TV system, for providing services as suggested in Schultz would have been obvious to one of ordinary skill in the art at the time of the invention was made, with the motivation of increasing, speed of services and number users or subscribers.

24. Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Schultz et al. (U.S. 6,453,339), as applied to claim 18, and in view of Ranalli et al. (U.S. 6,539,077).

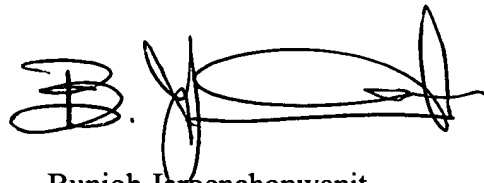
25. Regarding claim 26, Schultz discloses the invention substantially, as claimed, as set forth in the rejection of claim 18, above, including, creation, deletion or modification of information in a database, in which required a trigger mechanism (Col.15, line 12-Col.16, line 4). Schultz does not explicitly disclose applying to an object outside the directory server, such that capable of distributing information to billing and workflow management. However, at the time of the invention was made, there was no novelty of using a director service, e.g., LDAP for tracking network devices workflow and for billing purposes, in an analogous art, Ranalli teaches such that (Col.16, lines 24-55). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to expand Schultz's utility by incorporating Ranalli's idea of including billing and workflow management, with the motivation of enhancing utility to cover services cost.

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26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

A handwritten signature in black ink, appearing to be 'B. Jaroenchonwanit', with a stylized, elongated flourish extending to the right.

Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj
1/20/04